the Senate.

Animated Debate on the Bill Reducing Taxation.

Persistent Effort to Repeal the Income Tax.

SENATE

WASHINGTON, June 2, 1870. THE INTERNATIONAL PACIFIC RAILROAD.

Mr. FLANAGAN, (rep.) of Texas, introduced a bill to encourage the construction of the international Pacific Railroad. Referred.

Mr. Flanagan's bill declares the International Railroad of Texas a post route, and authorizes, with the consent of Mexico, the erection of a bridge across the Rio Grande.

THE CHEROKER INDIAN TREATY.

Mr. Harlan, (tep.) of lowa, presented a letter from the Secretary of the Interior, suggesting amendments to a treaty with the Cherokee Indians, Ordered to be printed.

RESOLUTIONS. Mr. KELLOGO, (rep.) of La., introduced a joint reso-

Mr. Kellogo, (rep.) of La., introduced a joint reso-lution relating to the claims of certain Northern creditors. Referred.

Mr. Kellogy's joint resolution authorizes the Sec-relary of the Treasury to appoint a commission of three persons to hear and determine the claims of various parties to the sum of \$219,000, seized from the Confederate receivers in New Orleans for the benefit of Northern creditors, whose debts had been confiscated. It was referred to the Committee on Claims.

confiscated. It was referred to the Committee on Claims.

Mr. Harris, (rep.) of La., offered a resolution instructing the Committee on Commerce to inquire into the best means and cost of rebuilding levees on the Missispipi which were destroyed during the war, and to report by bill or otherwise. Adopted.

The SEA ISLANDS OF SOUTH CAROLINA.

The last three minutes of the morning hour were occupied by Mr. Sawyer, (rep.) of S. C., in an appeal to the Senate to take up the bill for the sale of the lands on the sea islands of Beaufort county, S. C. The bill was to secure their homes to 5,000 people, now subject to all manner of litigation in consequence of the inaction of Congress in the matter.

THE FRANKING PRIVILEGE.

The morning hour expiring, the Charle announced the Franking bill before the Senate as unfinished business.

The morning nour expiring, the Chair announced the Franking bill before the Senate as unfinished business.

A motion by Mr. Pomeroy, (rep.) of Kan., to place it at the foot of the calendar of special orders was rejected—yeas 25, mays 31.

The question being upon Mr. Drake's amendment to continue the existing provisions of the law authorizing newspaper exchanges to be sent free, and the free circulation of country newspapers within the county of their publication.

Mr. Drake, (rep.) of Mo., advocated his proposition in the interest of the country papers as against the great dailles.

Mr. Harlan thought the public interest would be better subserved by giving to the Indian Appropriation bill the time now proposed to be consumed by the Franking bill, for which there was not the same necessity for immediate action. Besides, every one knew the Franking bill would pass.

Mr. Conkling, (rep.) of N. Y., would like to be assured by the Senator that he (Mr. Harlan) knew, as a fact, that the bill was to pass.

Mr. HARLAN would not say that he knew it as he would know the result of a mathematical depionstration, but only from the expressions of the Senators around the Chamber. A number of Senators had expressed themselves in favor of the bill.

Mr. RAMSEY, (rep.) of Minn.—By their votes?

Mr. Harlan, (rep.) of Mass., also desired further time before the bill was acted upon, in order to address the Senate upon his proposed substitute for the bill. He was unwilling to see the franking system cut down without a suitable equivalent.

Mr. RAMSEY, (rep.) of Mass., also desired further time before the bill was acted upon, in order to address the Senate upon his proposed substitute for the bill. He was unwilling to see the franking system cut down without a suitable equivalent.

Mr. RAMSEY thought the apprehension of the New York Tribune that the bill was in danger from its friends in the body was verified in the case of the Senator from Massachusetts (Mr. Sumher). That Senator had introduced his shostitute six weeks ago, and yet w

ago, and yet was not prepared to go on with the bill.

Mr. Howe, (rep.) of Wis., thought it manifest that the bill had not irlends enough in the Senate to hurt anything. (Laughter.)

Mr. Ramsky proceeded to urge the necessity of disposing of the subject at once.

Mr. Pomeroy moved that the bill be passed over.

Mr. Hamin appealed to the Senate to make the vote a test question, so as to prevent a repetition of the same dilatory proceedings, which he considered triding and disgraceful.

The Clerk proceeded to call the roll, Mr Willey and others desting the vote to be a test upon the bill, and Messrs Summer and Howard protesting against any such und retanding.

Mr. Pomerov's motion was then agreed to, and the bill was laid aside—yeas 33; nays 20.

Mr. Stewart, (rep.) of Nev., offered a resolution instructing the Committee on Foreign Relations to inquire into the propriety of raising the rank of the United States representative at Japan from Minister Resident to Minister Plenipotentiary and Envoy Extraordmary. Adopted.

on the Committee on Appropriations, made a statement upon indicat arriairs to show the cost to the civil and millitery service on the frontiers. He said that to-day nearly two-threst of the entire milling the property of the control of the contro

CONGRESS.

them at ten ber cont of the present cost to the government. The government might almost provide for them in the style of Fight avenue, of New York, at less expense than they now cost.

The bull was then partly read, when, at twenty-three minutes past four, the Senate went into executant partly read, when at twenty-three minutes past four, a recess was taken until half-past seven.

HOUSE OF REPRESENTATIVES.

WASHINGTON, June 2, 1870.

THE LIQUOR AND TOBACCO TAXES.

Mr. SCHUMAKER, (dem.) of N. Y., presented petitions of 100 brewers of the State of New York for the repeal of the law classifying brewers of malt figuors as dealers in spirituous liquors; and of 200 tobacco manufacturers of Brooklyn for a uniform tax of sixteen,cents per pound on all manufactured

CANNON FOR THE POUGHKEEPSIE MONUMENT. Mr. KETCHAM, (rep.) of N. Y., by unanimous consent, introduced a joint resolution authorizing the Secretary of War to deliver to the municipal authorities of Pougakeepsie, N. Y., three condemned iron cannon, two condemned brass cannon and 200 round shot, to be used in the erection of a soldiers' monument at that place. Passed,

ties of Fougakeepsie, M. Y., three condemned fron cannon, two condemned brass cannon and 200 round shot, to be used in the erection of a soldiers' monument at that place. Passed.

Mr. Mercur, (rep.) of Pa., from the Judiciary Committee, reported a bill antexting certain counties to the jurisdiction of the Western Judicial district of Pennsylvania. Passed.

Mr. Logan, (rep.) of Ill., from the Committee on Military Affairs reported a bill authorizing the settlement of the accounts of Joseph G. McNutt, late Captain and Assistant Quartermaster. Passed.

Mr. Hoopen, (rep.) of Mass., from the Committee on Ways and Means, assed leave to report a bill for the appointment of an Assistant Treasurer of the United States at Baltimore.

Mr. Paine, (rep.) of Wis., chairman of the Committee on Elections, reported a bill to pay to Caleb S. Hunt \$2,003, to J. H. Sypher \$4,000, to Louis St. Martin \$4,000, to J. H. Sypher \$4,000, to Couls St. Martin \$4,000, to J. H. Sypher \$4,000, to Couls St. Martin \$4,000, to George W. McCrance \$3,000, to Frank Morey \$3,000, and to Michael Ryan \$3,500, for time spent and expenses incurred in prosecuting their respective claims to seats in the House from the State of Louisians. The resolution was adopted—yeas 77, nays 67.

Mr. Paine also reported the bill regulating the compensation in cases of contested elections. It provides that in contested election cases in money small be paid as mileage or compensation to either the sitting member or contestant until the case is determined, when the mileage and compensation shall be paid to the person only to whom the seat shall be fluidly accorded.

The second section provides that the person against whom the adverse decision is made is to receive only the amount actually and necessarily expended in prosecuting or defending his rights.

Mr. Bura, (dem.) of Ill., moved to strike out the first section, on the ground that all persons actually holding seats are in all respects equal and entitled to the same rights. This deprination of pay and milleage of memb

REDUCING TAXATION. While Mr. Dawes was speaking the morning hour expired, and the House, at half-past twelve o'clock, resumed the consideration of the bill to reduce internal taxes, the question being on the sections relating to the income tax.

Mr. McCkarx, (rep.) of Iowa, opposed the abolition of the income tax because that tax was the only mode by which a large portion of the wealth of the country was made to contribute to the national revenue.

Mr. O'Nelli, (rep.) of Pa., declared himself for the absolute repeal of the income tax. He was not for any modification of it, either as to rate or amount of exemption, but he was for its total abolition. The government had exhibited to the world its periect ability to pay the national debt, and hence it was time to remove odious and obnoxious taxes. He believed that the country was satisfied to cancel the national debt at the rate of \$50,00,000 a year instead of \$100,000,000 a year.

Mr. Witson, (dem.) of Minn., opposed the abolition of the income tax. The pending bill proposed a reduction of taxes by thrity-four million dollars, but if the income tax were abolioned an attempt would be made to prevent the reduction of taxation on other maltiers. How could members go home and say that they had abolished taxation on the rich and kept it up on the poor? The income tax was the fairest of all taxes, because it fell on the rich, not on the poor.

the fire propriety of raising the rank of the ted States representative at Japan from Minister ident to Minister Plenipotentiary and Envoy Extra rationary. Adopted.

THE INDIAN APPROPRIATION BILL.

THE INDIAN APPROPRIATION exemption to \$2,000, so as to reneve men of moderate means. In his own district the income tax was paid now by 1,369 persons, but with the raising of the exemption to \$2,000 that number would be reduced to 300; and yet that 300 would pay four-fifths of the present amount collected and would make no complaint about it. He also favored the reduction of the react to three per case.

rate to three per cent.

Mr. JUDD, (rep.) of Ill., offered amendments confining the tax to invested capital and excluding

was not one chance in twenty that the Tariff bill would pass Congress this session, and it was doubtful, besides, whether that bill made a reduction. He believed, therefore, that the pending bill was the only opportunity members would have to redeem their pledges to reduce taxation. He would therefore favor the abolition of the income tax, and it it could not be abolished he would favor its reduction. He osieved that if the tax were honestly collected it would in a few years pay of the national debt.

Mr. Potter, (dem.) of N. Y., agreed with the argument yesteroay of his colleague (Mr. Davis) that the House was estopped from continuing the income tax beyond 1970. He denied that this tax, or any tax so edious, so oppressive, so demoralizing, could be for the public good, no matter what amount of revenue was collected under it. No one on his side of the House objected to the taxation of capital—such a tax was easily collected—but the evil of this law was its demoralizing character, and that it offered a reward to fraud and falsehood, and imposed a barden on honesty and fair dealing.

Mr. Davis (rep.) of N. Y., concluded his argument of yesterday against the income tax. He opposed it for its injustice and inequality. It allowed exemptions to accumulated wealth. The tax fell, in a great degree, on labor struggiling for its position. The exemption of accumulated wealth in the one case imposed in the other case nothing less than confiscation.

The exemption of accumulated wealth in the one case imposed in the other case nothing less than confiscation.

Mr. Scherner, (rep.) of Onio, asked Mr. Davis what he meant by exemption of accumulated wealth?

Mr. Davis expiained that if a man had \$30,000 of accumulated wealth invested in bonds and mortgages, yielding him a net income of five per cent over and above his ordinary taxation, that was \$1,500, and by this law that \$1,500 was exempt.

Mr. Fires, (rep.) of Nev. argued that the taxation might safely be reduced inner million dollars, and that no reduction would be so popular or so fair as the abolition of the income tax.

Mr. Farnsworth, (rep.) of Ill., favored the continuance of the tax and the increase of exemption to \$2,000. As to the objection that the tax should be on capital, he said that business was capital, brains were capital, professions were capital. As to the objection that the tax should be on that it was no more inquisitorial than other taxes, and that argument was inconsistent with the other argument that so many evaded the payment of their income tax.

Mr. Banks. (rep.) of Mass., said that as far as he

that it was no more inquisitorial than other taxes, and that argument was inconsistent with the other argument that so many evaded the payment of their income tax.

Mr. Banks, (rep.) of Mass., said that as far as he could judge of the temper of the people he represented it would discredit the government. He was opposed to it in all forms, and would vote against it as a tax which ought not to be revived. It was unequal and unjust. The bulk of it was collected on wages, on salary, and represented the productive energy of the country. If revived it would produce great discontent and would be evaded or resisted as an unconstitutional tax.

Mr. INGERSOLL. (rep.) of Ill., said after listening yesterday to the debate on the match tax, and after listening to-day to the debate on the income tax, he was led to exclaim, "Consistency, thou art a jewel!" The same members who argued yesterday against abolishing the match tax, which brought \$1,000,000 into the Ireasury, were to-day arguing in favor of abolishing the match tax, which brought \$1,000,000 into the Ireasury, were to-day arguing in favor of abolishing the match tax, which brought \$1,000,000 into the Ireasury, were to-day arguing in favor of abolishing the match tax, which brought \$1,000,000 into the treasury, were to-day arguing in favor of abolishing the match tax, which produced \$20,000,000 a year. When they went home and told that to the people he expected that the people would hurrah for them and re-elect them unanimously, (Laughter.) As to the income tax being inquisitorial he asked whether it was half so inquisitorial as the tartif law, under which men and women were searched inside and outside, (Laughter.) He favored, therefore, the continuance of the income tax with an increase of exemption to \$2,000.

Mr. POMEROY, (rep.) of lowa, argued in favor of the continuance of the tax as admittedly fair and equitable in theory. It so, it should be continued and enforced. He denied that the people asked for its repeal. Were the people on the Irontiers asking for it?

for it? No. It was the wealthy people of the cities and the rich metropontan journals that were asking for it.

Mr. Archer, (dem.) of Md., argued against the tax as unequal in its operations, taxing the widow who had an income of three hundred dollars from investments in bank stock, while men with incomes of ten thousand dollars escaped taxation. Its evils were so altominable and aunoying that the people would be aimost justified in forcible resistance to it. But he had little hope of seeing it abolished while the republican party remained in power.

Mr. Arwood favored the continuance of the tax with a reduction of the rate to three per cent and an increase of the exemption to \$2,000. He thought it should be levied earlier in the year after the balancing of the year's accounts of business men. The income tax was a tax upon wealth, and, therefore, was no pretence that its repeal would be of any advantage to the poorer classes.

Mr. Kelley, (rep.) of Pa., favored the repeal of the income tax, which, he argued, was added up in the oost of business and charged against the people at large, and consequently paid by the whole people. It was a tax upon intellect. It employed a large number of officials to assess and collect it. The exemptions were unequal. He favored the continuance of taxation on malt liquors, tobacco, stamps and amusements.

Mr. Bernon, (rep.) of N. H., argued in favor of the retention of the tax. The people believed it necessary. It was a more just and equitable tax than any imposed in the whole catalogue of internal taxation. The way to lift the burden from the shoulders of the people was to pay off the national debt as soon as possible, for with that debt hanging over the nation it was in no condition to resist insuit or to protect its nonor and its interests, (rep.) of N. Y., opposed the continuance of the income tax and favored the continuance of the tax with the exemption to \$2,000, and argued that the popular demand for relief from taxation was imperative and overwhelming.

Mr. Moraga, (dem.)

ment to the principles of economy.

Mr. Morgan, (dem.) of Ohlo, offered an amendment levying a tax of five per cent on income derived from bonds of every description, notes and mortgages and other securities over the sum of \$1,000 and under \$10,000; seven per cent on sums between \$10,000 and \$30,000, and eight per cent on the contract of the sum of t

between \$10,000 and \$30,000, and eight per cent on sums over \$30,000. He argued in support of his amendment.

Mr. Garrielle, (rep.) of Ohio, offered an amendment removing the tax from incomes derived from business and confining it to incomes derived from business and confining it to incomes derived from business and confining it to incomes derived from capital, and argued in support of that proposition.

Mr. Farnsworth inquired whether that excluded members of Congress.

Mr. Garrield did not care whether it did or not. It was intended to meet the objection that the income tax weighed unjustly on business and professional men and let vested capital escape. He had no doubt his amendment would leave about one-half of the revenue from income and remit the other half. It was a sort of compromise measure.

Mr. Woodward, (dem.) of Pa., moved as a substitute for the thirty-fifth section imposing the income tax a section providing for the withholding of a tax of five per cent on the interest of the bonds of the United States whenever held at home or abroad. He argued that that would be an ample substitute for the income tax, which he would then have wiped away altogether. There was not a particle of repudiation in it, because all who held these bonds were bound on every principle of reciprocity to contribute to the support of the government which rendered their property valuable and safe.

Mr. Morean, in reply to a question by Mr. Benton, said that the State of Illinois paid a milition and a half internal revenue more than all New England.

Mr. Kellogg said that was not so.

jobs, and yet that does would par found-titue of the principal point about it. Re also favored the relocation of the flat to three per country in the property of the flat to three per country. The per country is the flat to the per country of the flat to three per country of the flat to the per country of the

short provisions, the tariff as to take off some twenty-three or twenty-four millions more than this bill would. Take the internal Revenue bill. If the proposition to strike out the income tax should brevail, he wanted gentlemen to remember that they would not only strike out twenty-five millions of the revenue, the loss of which could not be afforded, but would strike out the only provisions made in law, and the only ones, as some thought, that could be made in law, for taxing the income of United States bondy. In conclusion, Mr. Schenck moved the previous question.

The previous question was seconded, and by agreement the vote on the sections in relation to the income tax, with all the amendments, was postponed until to-morrow.

Mr. Beck offered an amendment to the forty-fourth section, the effect of which would be to tax the interest on all government bonds five per cent. On a division the Speaker announced the vote to be 90 to 65.

Mr. Willard demanded the year and have re-

division the Speaker announced the vote to be so to 65.

Mr. Willard demanded the yeas and mays, remarking that this was taxing United States bonds held abroad and was to that extent repudiarion.

Mr. Allison, (rep.) of Iowa, moved an adjournment. Agreed to by 93 to 52.

The House then, at ten minutes past four, and amid much excitement, adjourned.

PRISON REFORM.

Twenty-fifth Annual Report of the Executive Committee of the Prison Association of New York-A Valuable Compilation for the Study of Philanthropists and Legislators.

This philanthropical association has now reached the twenty-fifth year of its existence. Its objects are concisely defined in its charter, passed by the Legislature in May, 1846, and which bears the signmanual of the lamented Slias Wright, who, as Governor of the State, approved it. These objects

are:—

First—The amelioration of the condition of prisoners, whether detained for trial or finally convicted, or as witnesses.

Second—The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

Third—The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

The Executive Committee of the Association, pudge their charter and by "Section 24 of Title

under their charter and by "Section 24 of Title 1, Chapter 3, Part IV., of the Revised Statutes," have all the powers and authority of inspectors of county prisons; but from this twenty-fifth annual report it does not appear that these powers were exercised or this authority invoked by the Executive Committee to any marked extent, and it is ad-

committee to any marked extent, and it is admitted that less work has been done in this respect during the past year than previously.

Of the persons detained in the prisons of New York and Brooklyn during the year 1869 the association reports to have aided 4,650 with advice, or relief, or, both, as the case may have required; at the instance of the general agent of the association 220 criminal complaints were withdrawn, having been preferred from mistake or excited feeling; 278 prisoners were

court last summer, denounced the influence of the Prison Association as injurious to the safe management of the convicts at Sing Sing, the report comes to a question of vital interest, the question of Prison Association of vital interest, the question of Prison Association of vital interest, the question of Prison as compared, or rather in opposition to free labor. The excitement among workingmen and artisans generally opposed to the introduction of skilled labor is declared to be unreasonable, and a long argument is advanced in support of it, the gist of it being that society is benefited by the production of the greatest possible amount of values, and that unused productive laboring power entails a public loss. From the whole tenor of this argument and the examples invoked it is fair to assume that the Prison Association, or at lease those of its officers who are responsible for the contents of this report, have it in view to change our prisons from institutions for the punishment of malefactors, not only into literal houses of correction and reformatory asylmms—which to a certain degree find their justification in experience and in the principles of enlightened humanity—but to make of them a kind of polytechnical institutes for the education at public expense of those only who may gain the privilege of admission by the perpetration of crime.

In a tabular statement appended to the report of the several prisons in the country it is shown, among other things, that the cost per capita of maintaining the prisoners and the earnings of each in several State prisons are as follows:—

Cost Earnings DefiSing Sing, N. Y., peryear. \$227

among other things, that the cost per capida of maintaining the prisoners and the earnings of each in several State prisons are as follows:—

Cost Earnings Defiper capida. per capida. ciency.

Sing Sing, N. Y., per year. \$227 \$122 \$105
Audura, N. Y., per year. ... 175 132 43
Clinton, N. Y., per year. ... 169 70 99
Philadelphia, Pa., per year. ... 169 70 99
Philadelphia, Pa., per year. ... 101 58 43
Windsor, Vt., per year. ... 101 58 43
Windsor, Vt., per year. ... 107 83 74
There are some few State prisons where the earnings of the prisoners exceed the cost of keeping them. In Nevada, where the prison is located at Carson City, the cost of keeping ach convict is \$1,254 per year, and the earnings are thirty-six dollars; but here the prisoners are properly made to work in erecting prison buildings, for which no cash earning is calculated.

The average daily number of convicts in the State Penicentiaries of twenty-seven states was 13,063; a similar ratio to the population of the other ten would give a total daily average of 16,312. Of these about 12,070 may be taken as the aggregate of prisoners in the whole United States who are employed on work that produces cash income, or about three-quarters. The average per capida cost of convicts in the State prisons was \$200, and the average per capida earnings were \$130. The total expenditures of the prisons in thirty-seven States were \$3,340,355, and the total earnings of convicts \$2,370,009, leaving an excess of expenditures of \$877,281. As to the nature of the competition of convict labor with free labor, this report itself gives the best and most intelligible description, by saying that "the labor of twelve convicts will cost no more per day than that of four cuttiens; yet the convicts will do hit four, thus every dollar paid for convict labor will produce as much as \$2 123,6 expended or clizen labor." The concluding pages of this volume contain a number of essays on "The Seeds of Crime," the "Capitalists of Crime," &c. which are all very readable and present much fo

SHOCKING ACCIDENT IN NEWARK. A Man Crushed by an Ore Crusher and the

A Man Crushed by an Ore Crusher and the Machinery Taken Apart to Extricate Him. An accident of a shocking character happened to a workman named Andrew Baumgarten, in the Newark Zinc Works, on Wednesday night, about half-past ten o'clock. While superintending the removal of some material the unfortunate man, in moving backwards, accidentally steppedinto a feeder of the hopper used for crushing ore, and was dragged down bodily. The machinery was instantly stopped, but it took nearly two hours on the part of all the workmen in the place to extricate the poor fellow. All the machinery had to be taken apart before this could be accomplished. In the meanwhile a couple of medical gentiemen arrived on the scene, and found it necessary to amputate the right leg above the knee. The entire limb, from the hip down, had been entirely stripped of tesh and the lower bones crushed terribly. The other leg was also fearfully torn and laccrated, but amputation was deemed undealrable. The poor fellow was removed to St. Michael's Hospital, where he now lies, under the care of the Sisters of Mercy, but not the slightest hope of his recovery is entertained. He is twonty-nye years of age and a man of admirable physique.

MORMONISM.

The Question of United States or Mormon Authority in Utah-Decisions of Chief Justice Wilson in Favor of the

United States.

The District Court of Salt Lake City has adjourned till next September. The act of Congress establish ing a territorial government for Utah provides that the judicial power of the Territory shall be vested in a supreme court, district courts, probate courts and in justices of the peace. The Supreme Court is composed of a chief justice and two associates. The three district courts are presided over by the same officers, each in his own judicial district. Being omers, each in his own judicial district. Being federal appointments their courts are commonly called United States courts, in contradistinction to the probate and police courts, which are presided over by Mormon officers. The act provides that the jurisdiction or the several courts, both appellate and original, and that of the probate courts and unstices of the probate courts and justices of the peace, shall be as limited by law, provided that justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the supreme and district courts respectively jurisdiction. Heretofore the probate courts, acting under the authority of the Mormon Legislature, have assumed the right of chancery and common law jurisdiction, the supremacy of the United States courts has been practically ignored, and United States judges have been intimidated and practically driven out of Utah. The question of the right of the probate courts to common law jurisdiction came up for adjudication before Chief Justice C. C. Wilson The case was a civil suit—Cronyan & Co. vs. G. W. Higiey—in which judgment had been rendered in the Probate Court of Salt Lake county by Justice Smith in the amount of \$1,600 on a promissory note. The case came before Chief Justice Wilson for review, on the ground of want of jurisdiction of the Probate Court. It was claimed on the other hand that while the act of Congress organizing the Territory conferred upon the supreme and district courts chancery and common law jurisdiction, it did not confine such jurisdiction exclusively to them; that the Territorial Legislature, if it could not deprive those courts of that power, has unlimited thority in distributing and apportioning judicial authority among the several courts; and that hence it had the right to confer on the probate courts the jurisdiction claimed. The opinion of Chief Justice Wilson, who has always been liberal rather than radical towards

into upon the probate courts of Utah is unauthorized and invalid, and accordingly dismissed the suit. Before concluding his opinion, however, Judge Wilson took occasion to say that the jurisdiction of common law cases by the probate courts of Utah had been of great convenience to the people, and on this great should conier such unishinton on them, at least to a limited extent.

From a legal point of view, and on the grounds of economy and convenience, this opinion may be sound; but from a political point of view, considering existing circumstances, the delegation of such jurisdiction would be most impolitic.

The only other important case before the court—one touching the supremacy of United States over Mormon onicers—cance up on a question of executive duties between the federal and Territorial marcocelved its appointment some starshal Grant, and entered on his duties. He claimed that the laws of the United States required him to perform all the executive business of the supreme and district courts. He alleged that J. D. T. McAllister, a bishop in the Mormon Church, as Territorial marshal by authority of his appointment by the Legislature, assumed the right to perform leaving the executive business of those courts, had performed it and still claimed the right to perform leaving the executive business of those courts, had performed it and still claimed the right to perform it—the exceptions in which he bard not done so being some cases in which the United States Marshal's rights and of the law. McAllister in his answer stated that pursuant to an act of the Territorial Legislature in relation to marshals, approved March 3, 1852, he had been elected Marshal by the Legislature in a relation to marshals, approved March 3, 1852, he had been elected Marshal by the Legislature in Judicial states and span in respect to the order of the United States Marshal's and decident the tright to act as the executive officer of the United States warmed to neither official to the courts of the United States warmed to neither of th

of such office in good faith by virtue of his election by the Legislature, and under cover of law, and as such assumption had been acquiesced in by the people and the courts for a considerable time, and as important rights were presumed to have vested under his acts, the marshal must be held to have been a de facto officer, and all his acts prior to this decision were consequently declared by the Court to be legal and valid.

Mr. M. R. Patrick has superseded Mr. Orr as United States Marshal, and the telegraph announces that Judge James B. McKean, of New York, has been nominated in place of Judge Wilson, and Mr. Charles S. Crow. of Alabama, as Secretary of the Territory in place of Mr. Mann.

CHAMBER OF COMMERCE.

No "Outside Influence" Wanted-Spicy Debate on the Eligibility of Members-Improvement of the Harbor-The Bathing

The regular monthly meeting of the Chamber of Commerce was held yesterday, Vice President George Opdyke in the chair. Walter S. Griffith reported the following names of persons for membership:—G. Francis Opdyke, John A. Parker and Pliny Free-

nominations on the ground that they were neither merchants nor bankers. He said that the present unpopularity of the Chamber was mainly caused by electing as members persons who were not engaged in any commercial pursuits. He did not think it was proper to elect as members insurance men or railroad men, and he would oppose it. He said the

which the Chamber had nothing to do, and thought there were many interests at stake that came within the proper scope of the Chamber.

Mr. GRIFFITH defended the action of the Executive Committee in making the nominations. He said it had always been the custom of the Chamber to admit to membership persons of high social standing, and he thought there was no objection to the nominations.

admit to membership persons of high social standing, and he thought there was no objection to the nominations.

Mr. Pherfs replied that such had not been the custom; that he remembered the time when any one who was not a merchant would not be admitted to membership. He remembered distinctly when, many years ago, the name of John Jacob Astor was presented for membership, and he himself had voted against it simply because he was not a merchant.

Mr. Grifffin moved that the election of the two persons objected to be deforred until the next meeting.

The motion prevailed. G. Francis Opdyke was then bailoted for and elected.

A communication was received from George W. Bunt, informing the Chamber that he has just returned from Washington, where he has been to advocate the appropriation of \$100,000 for the barge basin at the Battery, and \$200,000 for the parechasin at the Battery, the first appropriation having been struck out of the Appropriation bill in the Conterence Committee. He found many members of Congress favorable to the application, and thought that if the Chamber would urge the matter upon Congress as a measure necessary to the commercial prosperity of New York the apmany members of Congress favorable to the application, and thought that if the Chamber would urge the matter upon Congress as a measure necessary to the commercial prosperity of New York the appropriations would be made. He also called attention to the fact that it is now ten years since the Chamber took action in reference to the completion of the Battery extension, and that if the matter is now properly urged the present year will see the work completed. Since the organization of the government Congress has appropriated but \$283,200 for the improvement of New York harbor. The bill drawn up two years ago to prevent encroachments in the harbor still imagers in committee, and a bill to cause the removal of the wreck of the steamer Marmion from the lower bay is likely to pass. He also referred to the saving of a property valued at five hundred thousand dollars at the Battery, which had been leased for baths to a private citizen by the city, and to the fact that the stoopage of this project has secured the harbor from much damage. He closed by urging the Chamber to take such action as it may deem proper to improve the harbor.

After the reading of the letter the chairman remarked that he had lately had a conversation with Mr. Blunt, and he understood that the authorities at Washington were alive to the interests at stake, and he thought that the appropriations asked for would be made. The Chamber then adjourned.

THE NEW REGIME.

Progress of Work in the Various Depart-ments-Change of Time for the Music in the

interests of the working classes, found that the music which was provided in the several parks throughout the city could not be fully enjoyed by those whom they intended most to benefit, and the Execu-tive Committee, acting upon the power delegated to during which music is to be provided. After this week, therefore, the music in the several parks will be from six to eight o'clock P. M., instead of from five to seven o'clock. In relation to

THE BATTERY
the Commissioners deem that it would be inadvisable to have music there until it is placed in some fit condition for people to resort there. For this purpose the Commissioners are now perfecting plans for the improvement of the place, which will speedily be put into execution. In other quarters the work under the direction of the Board is rapidly progressing, and is fortunately such that people passing can

see what work is being don e.

THE DEPARTMENT OF DOCKS

is working along quietly at present, yet steadily and systematically. A meeting of the department was held yesterday, at which the observations made by the Commissioners on their tour on Wednesday were discussed, and the determination was announced to inaugarate remedies immediately, yet do nothing hurriedly or incompletely. The Boakd yesterday confirmed the following

APPOINTMENTS.

Bookkeeper—W.W. Burnham. Chief Clerk—Eugene T. Lynch. Superintendents of Docks—Joseph T. Martin, William E. Duryea, John Turner, John Richardson, William E. Duryea, John Turner, John Richardson, William H. Brown, E. Keyser, John McKeiven, Ffrank Ransom, William B. Finley and Louis Fitzgerald. Collection Clerks—James B. Cisco, Walton Townsend, Jacob Ramsey. Assistant Clerks—Charles Osgood, Morgan L. Livingston and Patrick O'Relly.

The public free bath constructed by Mr. Bernard Kelly, under the direction of

THE DEPARTMENT OF PUBLIC WORKS,
a fuil description of which was published exclusively in the HERALD of Tuesday last, was towed down from Greenpoint yesterday and moored at the foot of Fifth street. In will be opened to the public in the early part of next week, and the want in this paricular so long felt will be at length relieved. In the Bureau of Roads in this department the work is progressing, and also in the Croton Bureau. The work of removing the property of the late Croton Board 4to the new offices adjoining the Broadway Bank has been commenced, and in a few days the work of demolition of the buildings in the City Hall Park lately occupied by the Croton Board will be begun, in accordance with the recent action of the Department of Public Parks.

Another Instalment of Appointments. Events indicating the dawn of the new regime succeed each other with perplexing rapidity in all departments of the municipal government, and have at length reached the Police Department, which was at length reached the Police Department, which was most strongly intrenched against change, because of the political balance of the Board. Yesterday work was commenced on the Board of Police Surgeons, and the following were removed:—Drs. Alexander B. Mott, Everett H. Kimbark. Alfred E. M. Purdy, Robert P. Gibson and William Sutton. To these must be added Dr. Kierstead, removed some time ago, thus making six vacancies, which were filled by the appointment of the following physicians by Commissioners Bosworth and Breman:—

John Sayille, S. A. Rabourg, Alfred M. Beach, Daniel D. W. Harrington, Christopher Prince and Samuel H. Orton. The democrats being still entitled to two surgeons, Drs. Fessenden N. Otts and Patrick W. McDonnell, of the old Board, were reappointed. Cammissioners Manherre and Smith have yet to make the removals and appointments in the republican half of the Board of Surgeons.

The depredators who carn their bread by the sweat of their brows at unseasonable hours of the night were overtaken by a bad run of hick yesterday morning. One gang operating upon the tailor shop, No. 14 Duane street, were frightened away by officer Barr, of the Fourth precinct, leaving behind them a cold chief and a mall bag, which they had probably brought to contain the anticipated spoils. Another party met a similar fate at the liquor store at No. 87 Mulberry street, as test thad just pried open the rear windows when Officer Flanagan, of the Sixth brochest, arrived and succeeded in capturing two of them, named Dennis Gillen and Partick Maloney, who had concessed themselves in the yard. Another attempt at burglary, at No. 142 Cherry street, was likewise unanccessful, through the unwonted vigilance of the police. night were overtaken by a bad run of luck yesterday

Williams, the English jeweller, who attempted to import \$20,000 worth of diamonds without paying the accustomed duty, was yesterday sentenced to two years at hard labor in the State Prison, Trenton, N. J. No fine was imposed, although a number of bonds and other valuable documents were found on him, which snowed that he was by no means impe-